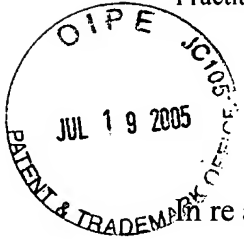


Serial Number: 10/662,582
Filing Date: 9/15/2003
Reply to Office Action Dated: 4/14/2005
Practitioner's Docket: 87819/00004

LFW



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Lonnie F. Gary

Serial Number: 10/662,582
Filing Date: September 15, 2003
Group Art Unit: 3727
Examiner: Harry A. Grosso
Title: Magnetic Beverage Holder

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Certificate of First Class Mailing

I hereby certify that a copy of the papers enclosed herein are being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to: Mail Stop AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date shown below.

Donna J. Johnson

07/14/05

Date of Mailing

**RESPONSE TO RESTRICTION REQUIREMENT
AND PRELIMINARY AMENDMENT**

In response to the Office action mailed April 14, 2005, Applicant hereby amends the original claims to more clearly present claims generic to all embodiments of the invention depicted in the drawings, and also provisionally elects with traverse the claims directed to the figures of Group 1 as identified by the examiner in the instant action. This response is accompanied by a check in the amount of \$425 in payment of the fees for a two-month extension of the response period for a small entity together with the additional fee required for the claims as presented herein, including the fee for two originally filed claims that were inadvertently dublicately numbered at the time of filing.

07/20/2005 BABRAHA1 00000042 10662582

01 FC:2252
02 FC:2201

225.00 OP
200.00 OP

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Amendments to the Claims are reflected in the listing of claims, which begins on page 3 of this paper.

Remarks begin on Page 7 of this paper.